IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 1ST AUGUST 2006 / 10TH SRAVANA 1928

Bail Appl..No. 4648 of 2006(A)

CMP.3118/2006 of J.M.F.C., ADOOR
(CRIME NO.296/2006 OF PANDALAM POLICE STATION)

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PETITIONER/5TH ACCUSED:

ANAS, S/O. RASHEED,
PULIMOOTTIL VEEDU, EDAKUNNAM MURI,
PARATHODU VILLAGE.

BY ADV. SRI.VINOY VARGHESE KALLUMOOTTILL

RESPONDENTS: COMPLAINANT/STATE:

1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
PANDALAM POLICE STATION.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 4648/2006

DATED THIS THE 1ST DAY OF AUGUST, 2006

O R D E R

The petitioner was driving a Qualis vehicle, on 16.7.2006. The accused 1 to 4 hired this vehicle from Kanjirappally Junction. They are proceeding towards Pathanamthitta. When the jeep was proceeding, three other persons were also got inside the jeep, other than the first accused. At Kanjirappally junction, the police intercepted the vehicle, conducted a search and recovered some coins and currency notes from accused 1 to 4. All of them were arrested and the petitioner, fifth accused, is remanded to judicial custody on 16.7.2006.

2. The contention of the counsel for the petitioner, relying on the remand application, is that nothing had been seized from the possession of the fifth accused, the driver, and the currency notes and coins, which were found in his possession, were of original Indian currency notes and coins and therefore, he was only bonafide

driving the vehicle, as he being a taxi driver of Kanjirappally Junction. Therefore, prayed that the petitioner may be released on bail.

3. Considering the contents of the remand application, dated 16.7.2006, filed by the Investigating Officer, for the remand of the accused, before the Judicial Magistrate of First Class, Adoor, I grant bail and release the petitioner from jail, subject to the following conditions:-

> (a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class, Adoor.
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> (b). The petitioner shall report before the Investigating Officer, once in a week on every Monday, between 10.00 a.m and 11.00 a.m., for a period of three months, starting from 7.8.2006, and thereafter, on the first working day of every month, between the same timings,

till the final report is filed.

(c). The petitioner shall not leave the State of Kerala, until the final trial and disposal of the Sessions Case.

(d). The petitioner shall not interfere with the investigation, attempt to influence or threaten the witnesses or cause any hindrance to the smooth conduct of the prosecution case.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs